IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1777 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31-08-2004 in W.P.No.10111 of 2004 on the file of the High Court.)

Between:

M/s. Sri Rama Wines,

H.No.5-12-5, Station Ghanpur, Warangal District,
rep. by its Proprietor, T. Raji Reddy, S/o.Krishna Reddy,

R/o Station Ghanpur,
Warangal District.

..... APPELLANT

AND

1.The Commissioner of Prohibition & Excise, A.P. Nampally, Hyderabad.
2.The Prohibition & Excise Superintendent, Warangal District, Warangal.
3. Sri N.V. Narasimha Reddy, S/o Ranga Reddy,
Licence of M/s Venkataramana Wines, R/o Ghanpur (Station) Warangal District.

.....RESPONDENTS.

Counsel for the Appellant: Mr.M.YASHWANTH KUMAR

Counsel for Respondent Nos.1 & 2: G.P.FOR PROHIBITION &

EXCISE.

Counsel for Respondent No.3: Mr. S.M.SUBHAN.

The Court at the admission stage made the following :

ORAL JUDGMENT: (per the Hon'ble the Chief Justice)

The petitioner-appellant is a rival liquor vendor and opposed the shifting of the shop of third respondent ordered by second respondent contrary to the Circular. Learned single Judge dismissed the writ petition holding that Circular dated 3rd April 2003 imposing restrictions has already been held to be violative of the provisions of law. There is no prohibition under the relevant rules that such shop cannot be ordered to be shifted.

Writ Appeal is dismissed.

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(DEVINDER GUPTA, C.J.)

18th November 2004.

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(C.V.RAMULU, J.)

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To

1.The Commissioner of Prohibition & Excise, A.P. Nampally, Hyderabad.
2.The Prohibition & Excise Superintendent, Warangal District, Warangal.
3. Two C.Cs. to Govt. Pleader for Prohibition & Excise, High Court Bldgs., Hyderabad (OUT).

4. Two CD copies.